

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

Senate Bill 240

SENATORS MAYNARD, TRUMP, CLINE, AND SWOPE,

original sponsors

[Originating in the Committee on the Judiciary;

Reported on January 17, 2019]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §64-12-1, §64-12-2, §64-12-3, §64-12-4, §64-12-5, §64-12-6, and §64-12-7,
3 all relating generally to repealing certain legislative rules promulgated by certain agencies,
4 boards, and commissions which are no longer authorized or are obsolete; authorizing
5 certain agencies and commissions under the Department of Administration, Department
6 of Environmental Protection, Department of Military Affairs and Public Safety, Department
7 of Tax and Revenue, Department of Transportation, miscellaneous agencies, boards, and
8 commissions, and the Bureau of Commerce to repeal certain legislative rules; repealing
9 the Department of Administration legislative rule relating to the state Purchasing Card
10 Program; repealing the Department of Environmental Protection legislative rule relating to
11 abandoned mine lands reclamation; repealing the Department of Environmental
12 Protection legislative rule relating to certification of gas wells; repealing the Regional Jail
13 and Correctional Facility Authority legislative rule relating to criteria and procedures for
14 determination of projected cost per day for inmates incarcerated in regional jails operated
15 by the authority; repealing the Insurance Commission legislative rule relating to health
16 insurance benefits for temporomandibular and craniomandibular disorders; repealing the
17 Insurance Commission legislative rule relating to guaranteed loss ratios as applied to
18 individual sickness and accident insurance policies; repealing the Insurance Commission
19 legislative rule relating to external review of coverage denials; repealing the Insurance
20 Commission legislative rule relating to mental health parity; repealing the Insurance
21 Commission legislative rule relating to small employer eligibility requirements; repealing
22 the Division of Motor Vehicles legislative rule relating to eligibility for reinstatement
23 following suspension or revocation of driving privileges; repealing the Board of Social
24 Work Examiners legislative rule relating to applications; repealing the Division of Labor
25 legislative rule relating to hazardous chemical substances; and repealing the Division of
26 Labor legislative rule relating to the Safety Glazing Act.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. REPEAL OF UNAUTHORIZED AND OBSOLETE RULES.

§64-12-1. Department of Administration.

1 The legislative rule effective March 18, 2002, authorized under the authority of §12-3-10a
2 of this code, relating to the Department of Administration (state Purchasing Card Program, 148
3 CSR 7), is repealed.

§64-12-2. Department of Environmental Protection.

1 (a) The legislative rule effective June 1, 1995, authorized under the authority of §22-1-3
2 of this code, relating to the Department of Environmental Protection (abandoned mine lands
3 reclamation rule, 59 CSR 1), is repealed.

4 (b) The legislative rule effective May 10, 2001, authorized under the authority of §22-1-3
5 of this code, relating to the Department of Environmental Protection (certification of gas wells, 35
6 CSR 7), is repealed.

§64-12-3. Department of Military Affairs and Public Safety.

1 The legislative rule effective April 28, 2014, authorized under the authority of §31-20-10
2 of this code, relating to the Regional Jail and Correctional Facility Authority (criteria and
3 procedures for determination of projected cost per day for inmates incarcerated in regional jails
4 operated by the authority, 94 CSR 7), is repealed.

§64-12-4. Department of Tax and Revenue.

1 (a) The legislative rule effective May 31, 1991, authorized under the authority of §33-2-10
2 of this code, relating to the Insurance Commissioner (health insurance benefits for
3 temporomandibular and craniomandibular disorders, 114 CSR 29), is repealed.

4 (b) The legislative rule effective April 29, 2008, authorized under the authority of §33-2-10
5 of this code, relating to the Insurance Commissioner (guaranteed loss ratios as applied to
6 individual sickness and accident insurance policies, 114 CSR 31), is repealed.

7 (c) The legislative rule effective July 1, 2002, authorized under the authority of §33-2-10
8 of this code, relating to the Insurance Commissioner (external review of coverage denials, 114
9 CSR 58), is repealed.

10 (d) The legislative rule effective April 14, 2010, authorized under the authority of §33-2-10
11 of this code, relating to the Insurance Commissioner (mental health parity, 114 CSR 64), is
12 repealed.

13 (e) The legislative rule effective May 6, 2005, authorized under the authority of §33-2-10
14 of this code, relating to the Insurance Commissioner (small employer eligibility requirements, 114
15 CSR 73), is repealed.

§64-12-5. Department of Transportation.

1 The legislative rule effective April 2, 1986, authorized under the authority of §17A-2-9 of
2 this code, relating to the Division of Motor Vehicles (eligibility for reinstatement following
3 suspension or revocation of driving privileges, 91 CSR 16), is repealed.

§64-12-6. Miscellaneous agencies, boards, and commissions.

1 The legislative rule effective July 1, 2013, authorized under the authority of §30-30-6 of
2 this code, relating to the Board of Social Work Examiners (applications, 25 CSR 4), is repealed.

§64-12-7. Bureau of Commerce.

1 (a) The legislative rule effective April 25, 1984, authorized under the authority of §21-3-18
2 of this code, relating to the Division of Labor (hazardous chemical substances, 42 CSR 4), is
3 repealed.

4 (b) The legislative rule effective August 6, 1971, authorized under the authority of §47-5-
5 1 of this code, relating to the Division of Labor (Safety Glazing Act, 42 CSR 13), is repealed.